

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

THOMAS G. BRENNAN,

Plaintiff,

V.

KIM THOMAS, et al.,

Defendants.

[illegible]

Case No. 2:12-cv-4123-AKK-TMP

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on June 25, 2015, recommending that the defendants' motion for summary judgment (doc. 22) be granted on the plaintiff's federal claims and that such claims be dismissed with prejudice. The magistrate judge further recommended that the court decline to exercise supplemental jurisdiction over the plaintiff's state law claims of medical malpractice and negligence and that such claims be dismissed without prejudice. The parties were allowed fifteen (15) days to file objections and advised that the failure to file such objections would bar any later challenge or review of the factual findings of the magistrate judge. No objections have been filed by any party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is

of the opinion that the magistrate judge's report is due to be and is hereby is ADOPTED and the recommendation is ACCEPTED. The court EXPRESSLY finds that there are no genuine issues of material fact and the defendants are entitled to judgment as a matter of law on the plaintiff's federal claims.

Accordingly, the defendants' motion for summary judgment is due to be GRANTED and the plaintiff's federal claims are due to be DISMISSED WITH PREJUDICE. The court DECLINES to exercise supplemental jurisdiction over the plaintiff's state law claims of medical malpractice and negligence, and those claims are due to be DISMISSED WITHOUT PREJUDICE. A Final Judgment will be entered.

DONE the 22nd day of July, 2015.


ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE